

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
CENTRAL DIVISION

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff

vs.

Gilbert Garcia Jr

Defendant(s)

COMPLAINT - CRIMINAL

FELONY COMPLAINT

COURT CASE NO.

SEARCH WARRANT NO.

DA FILE NO. 2013E15661

Agency: Fresno Police Department

Agency Report Number: 13-29436

Defendant

Gilbert Garcia Jr

Birth Date

11/21/1983

JID

1692082

Booking No.

Personally appeared before me, who first being duly sworn, complains and alleges:

COUNT 1

On or about May 5, 2013, in the above named judicial district, the crime of ATTEMPTED MURDER, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Gilbert Garcia Jr, who did unlawfully, and with malice aforethought attempt to murder Piara Singh, a human being.

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

It is further alleged pursuant to Penal Code section 12022.7(c) that in the commission of the above offense the said defendant(s) Gilbert Garcia Jr, personally inflicted great bodily injury upon Piara Singh, not an accomplice, who was 70 years of age and older.

"NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."

It is further alleged that in the commission and attempted commission of the above offense, the said defendant(s) Gilbert Garcia Jr, personally used a deadly and dangerous weapon(s), to wit, Pipe, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

COUNT 2

On or about May 5, 2013, in the above named judicial district, the crime of ELDER OR DEPENDENT ADULT ABUSE, in violation of PENAL CODE SECTION 368(b)(1), a felony, was committed by Gilbert Garcia Jr, who did, under circumstances or conditions likely to produce great bodily harm or death, knowingly or willfully cause or permit Piara Singh, an elder or dependent adult,

to suffer, or inflicted thereon, unjustifiable physical pain or mental suffering or, having the care and custody of said person, willfully caused or permitted him to be placed in a situation in which his health was endangered.

Notice: Pursuant to Evidence Code 1370, it is the People's intention to seek to admit all victim statements to law enforcement if the victim becomes unavailable to testify at trial.

It is further alleged pursuant to Penal Code section 12022.7(c) that in the commission of the above offense the said defendant(s) Gilbert Garcia Jr, personally inflicted great bodily injury upon Piara Singh, not an accomplice, who was 70 years of age and older.

"NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."

It is further alleged that in the commission and attempted commission of the above offense, the said defendant(s) Gilbert Garcia Jr, personally used a deadly and dangerous weapon(s), to wit, Pipe, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

All of which is contrary to the form, force, and effect of the Statute in such case made and provided, and against the peace and dignity of the people of the State of California.

* * * * *

Pursuant to Penal Code Sections 1054.5(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

Subscribed and sworn to before me on

DATE: _____

Attest:

COMPLAINANT

DEPUTY CLERK